CITY HALL COUNCIL CHAMBERS
SANTA MARIA, CALIFORNIA
REGULAR MEETING

OCTOBER 4, 2005

INVOCATION:
Pastor Rick Bloom of Pacific Christian Center gave the invocation.

PLEDGE OF ALLEGIANCE TO THE FLAG:
Councilmember Trujillo led the pledge of allegiance.

CALL TO ORDER:
Mayor Lavagnino called the Regular Meeting of the City Council to order at 6:30 p.m.

ROLL CALL:
MEMBERS PRESENT
Councilmembers Mariscal, Orach, Patino, Trujillo, and Mayor Lavagnino.

STAFF MEMBERS PRESENT
City Manager Ness, Assistant City Manager Haydon, City Attorney Trujillo, Police Chief Macagni, Director of Administrative Services Snodgrass, Director of Community Development Lindsey, Fire Chief Ortiz, Director of Recreation and Parks Posada, Director of Public Works Karp, Director of Utilities Chisam, City Librarian Pinneli, Fire Battalion Chief Owen, and Chief Deputy City Clerk Perez.

PRESENTATION BY YOLANDA RAMOS
Yolanda Ramos, widow of fallen Santa Maria Police Officer Robert Ramos, presented the City with a plaque to be placed between a pair of benches at Adam Park which were donated to commemorate Officer Ramos's life.

FIRE PREVENTION WEEK
Mayor Lavagnino read a proclamation declaring the week of October 9 – 15, 2005, as "Fire Prevention Week" in the City of Santa Maria and promoting the Fire Prevention Week 2005 theme, *"Use Candles with Care: When You Go Out, Blow Out!,"* and urging all residents to heed the important safety messages of Fire Prevention Week 2005, and to support the many public safety activities and efforts of the Santa Maria Fire Department. The proclamation was accepted by Fire Battalion Chief Owen.

PUBLIC COMMENT
Jeff Hearn, Superintendent of the Santa Maria Joint Union High School District, requested on behalf of his District, the Santa Maria-Bonita School District, Santa Maria High School, Pioneer Valley High School, and the Santa Maria District Attorney Truancy Program, that the City Council implement a daytime anti-loitering ordinance to join with the schools in communicating to public school students that compulsory attendance is a law supported in the City of Santa Maria.

Mayor Lavagnino recommended this be referred to staff to work with the School Districts and the District Attorney's office to prepare an ordinance and asked for any objections from the Council. Hearing none, staff was so directed.

Maite Franck, District Attorney Truancy Program Supervisor, read a letter from Christy Stanley, Assistant District Attorney, in support of a daytime anti-loitering ordinance.

Nicholas Andersen spoke regarding Columbus's discovery of America.

Fran Foreman, Community Action Commission, distributed the new Community Assessment and invited the Council to attend the grand opening of the North County Community Kitchen on October 12, 2005, at 3:00 p.m. at the Good Samaritan Shelter.

Ernest Armenta opposed the daytime anti-loitering ordinance proposed by the School Districts and opposed City resources being used to go after truant children. He also asked that all School Board meetings, College Board meetings, Cemetery District meetings, Planning Commission, and Recreation and Parks Commission meetings be broadcast on Public Access TV.

CONSENT CALENDAR
Councilmember Trujillo requested Item 3F be pulled for discussion.

Item 3F – Call for Bids for Atkinson Park Classrooms
Councilmember Trujillo asked that permanent restrooms be installed in conjunction with the new classrooms at Atkinson Park.

City Manager Ness advised Councilmember Trujillo that Atkinson Park already had permanent restroom facilities.

Consent Calendar Items A through G were approved with the indicated action on motion by Councilmember Orach, seconded by Councilmember Trujillo, and carried on the following vote:

AYES: Councilmembers Mariscal, Orach, Patino, Trujillo, and Mayor Lavagnino
NOES: None
ABSENT: None
ABSTAIN: None

A. ORDINANCES
The reading in full of all ordinances and resolutions was waived. Ordinances on the Consent Calendar are adopted by the same vote cast at the first reading unless City Council indicates otherwise.

B. MINUTES
The Minutes of the Regular City Council Meeting of September 20, 2005, were approved as submitted.

C. WARRANTS
Warrant Nos. 122713 to 122944 in the amount of $2,163,026.92 were ordered ratified subject to having been certified as being in conformity with the budget and having been approved for payment by the Director of Administrative Services. Warrants No. 122347, 122434, 122600, 122701, 122233, and 122696 were cancelled.

D. PAYROLL
Payment of payroll was ordered ratified subject to having been certified by the proper Department Heads as shown on records on file in the Administrative Services Department and having been approved for payment by the Director of Administrative Services.

E. SB-90 CLAIMS CONTRACT
Resolution No. 2005-153 was adopted approving a one-year agreement for SB-90 State Mandate Reimbursement Claims Service with AK & Company.

Resolution No. 2005-153 adopted. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA, CALIFORNIA, APPROVING AN AGREEMENT WITH AK & COMPANY AND AUTHORIZING THE DIRECTOR OF ADMINISTRATIVE SERVICES TO EXECUTE SUCH AGREEMENT.

F. CALL FOR BIDS
Approval was granted to call for bids on the plans and specifications for Atkinson Park Classrooms, Bid No. 2006/04.

G. ORDINANCE NO. 2005-12

Council conducted the second reading of Ordinance No. 2005-12 establishing speed limit zones in three locations on Miller Street, College Drive and Fremont Street and adopted the ordinance.

Ordinance No. 2005-12 adopted. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA, CALIFORNIA, AMENDING CHAPTER 7-4, SPEED LIMITS, OF THE SANTA MARIA MUNICIPAL CODE.

USE OF FUEL FACILITY

Director of Utilities Chisam gave the staff report. This is a public hearing to consider establishing a new 10-cent per gallon reimbursement fee over and above the fuel costs for transportation agencies that Council approves to use the City's fuel facility and approve a request from Santa Maria Organization of Transportation Helpers (SMOOTH), an outside transportation agency, to use the facility. For over ten years, the City has allowed outside transportation agencies such as Guadalupe Transit and San Luis Obispo Regional Transit Authority to utilize the fuel facility at the wholesale price of fuel. When this was done, the agencies' use of the fuel facility was minimal and had little impact on City operations. The transit companies also brought outside residents into the community to patronize local businesses. Rising gasoline and diesel fuel prices, along with estimated replacement costs of the fuel facility in the future, has prompted this proposal for Council's consideration. SMOOTH is a non-profit agency with the sole objective of providing seniors, the disabled, and the economically challenged with transportation so that they can continue to live independently. Staff does not recommend extending use of the fuel facility to other non-transportation, non-profit groups due to the potential volume of vehicles that may cause delays to City operations. The proposed 10-cents per gallon reimbursement fee was arrived at by allocating 6.7-cents per gallon for the fuel facility replacement and 3.3-cents for administrative costs.

Mayor Lavagnino asked what the wholesale cost for a gallon of gasoline was currently.

Utilities Director Chisam responded that it changed daily but was generally about 20 percent less than the retail price at a service station.

Mayor Lavagnino opened the public hearing.

Chris McEwan, SMOOTH, spoke in favor of the request and indicated it would give SMOOTH the opportunity to pay less for fuel so they could keep costs down and provide better service to the community. He said they agreed with the 10-cent per gallon reimbursement fee because they did not want it to cost the City.

Ernest Armenta commented that all taxpayers should also be able to use the City's fuel facility and pay 20 percent less for gasoline.

James Watson asked about the use of alternate fuel.

Director Chisam explained that most of the City's older vehicles could not be retrofitted to use bio diesel fuel; but as newer vehicles became available and bio diesel fuel became more accessible, that could be a possibility.

Hearing no further comments, Mayor Lavagnino closed the public hearing.

Resolution No. 2005-154 was adopted establishing a 10-cent per gallon reimbursement fee in addition to the fuel cost for outside transportation agencies' use of the City's fuel facility on motion by Councilmember Orach, seconded by Councilmember Patino, and carried on the following vote:

AYES:	Councilmembers Mariscal, Orach, Patino, Trujillo, and Mayor Lavagnino
NOES:	None
ABSENT:	None
ABSTAIN:	None

Resolution No. 2005-154 adopted. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA, CALIFORNIA, AUTHORIZING A REIMBURSEMENT FEE FOR OUTSIDE TRANSPORTATION AGENCIES' USE OF CITY'S FUEL FACILITY AND APPROVING A REQUEST FROM SANTA MARIA ORGANIZATION OF TRANSPORTATION HELPERS FOR USE OF THE FUEL FACILITY.

JOINT USE COOPERATIVE AGREEMENT

City Librarian Pinneli gave the staff report. The request is to approve a joint use cooperative agreement with the Santa Maria Valley Genealogical Society and Library and the Santa Maria Public Library. The Santa Maria Valley Genealogical Society and Library wishes to add its collection of valuable resources to the Santa Maria Public Library's existing collection of genealogical materials. The Society has approximately 400 - 500 books and periodicals that would be relocated to the Library. These would be for in-library "reference" use only. Additionally, the Society would provide their experienced volunteer docents to assist patrons researching family histories. These valuable materials would augment the Library's collection and expand resources for the public.

Dotti Ott explained that the Santa Maria Valley Genealogical Society and Library's current location was not conducive to research, and they felt their library assets were not being used to the full potential. Adding them to the Santa Maria Public Library's research materials would greatly improve the ability of Santa Maria residents to have access to these materials for family research. They would also provide volunteers to the Public Library to help patrons with family research.

Councilmember Trujillo commented that there were a lot of people interested in genealogy. He said the Santa Barbara Library at one time asked him to donate his extensive collection of genealogical materials to them. He said at sometime in the future he would probably donate his resources to the Santa Maria Public Library.

Resolution No. 2005-155 was adopted authorizing a Joint Use Cooperative Agreement with the Santa Maria Valley Genealogical Society and Library on motion by Councilmember Trujillo, seconded by Councilmember Orach, and carried on the following vote:.

AYES: Councilmembers Mariscal, Orach, Patino, Trujillo, and Mayor Lavagnino
NOES: None
ABSENT: None
ABSTAIN: None

Resolution No. 2005-155 adopted. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA, CALIFORNIA, AUTHORIZING A JOINT USE COOPERATIVE AGREEMENT WITH THE SANTA MARIA VALLEY GENEALOGICAL SOCIETY AND LIBRARY AND THE SANTA MARIA PUBLIC LIBRARY.

REPORT BY CITY MANAGER

City Manager Ness reported on items for the October 18, 2005, City Council meeting including a public hearing to consider a zoning text amendment for Meyer Asset Management, a presentation on the City's disaster preparedness plan, and call for bids for the new Library and the Robin Ventura Ballfield.

ORAL REPORTS OF COUNCILMEMBERS AND OFFICERS

Councilmember Trujillo congratulated Fighting Back Santa Maria for the large grant they had recently been notified they will receive and commended Councilmembers Patino and Orach for being instrumental in obtaining the grant.

Councilmember Trujillo also requested that during the next Community Development Block Grant process, the Block Grant Advisory Committee and the City Council look at funding mental health issues which were becoming a very big problem in the City and the County.

Mayor Lavagnino commended the Recreation and Parks Department and Director Posada for the tremendous effort in putting together the Taste of Mexico fundraising event and the Autumn Arts Grapes and Grains Festival. He also talked about the Los Padres Artist Association and the Santa Maria Woodcarvers 20th Annual Artistry in Wood event on November 5th and 6th at the Veterans Memorial Building.

Councilmember Patino also commended the Recreation and Parks Department for the Grapes and Grains Festival and the Taste of Mexico. They do such an outstanding job on these events. She talked about the Fighting Back Santa Maria grant which was $100,000 a year for five years to help fight the problem with methamphetamines in Santa Maria. She also reported that the City of Santa Maria and the Landmark Committee would present a plaque designating the Minerva Club as a Historical Landmark on Tuesday, October 18th at 2:00 p.m.

Councilmember Mariscal commended the Recreation and Parks Department for the Special Olympics Softball and Soccer Regional Games last weekend at the Hagerman Complex. He congratulated the Santa Maria Philharmonic Society on their opening concert of the season on Saturday. He also talked about a letter from the California Integrated Waste Management Board regarding rubberized asphalt concrete. There is $7 million in rubber paving grants coming available. He asked if that was viable for use in the City and recommended the City avail itself of these grant funds.

Councilmember Orach commented on the Street Overlay project which is currently under way. The roads are looking good and the contractor is doing a great job.

CLOSED SESSION
The City Council recessed to a Closed Session at 7:25 p.m. for Conference with Legal Counsel regarding existing litigation pursuant to Subsection (a) of Government Code Section 54956.9 to discuss Santa Maria Valley Water Conservation District v. City of Santa Maria, and Public Employee Performance Evaluations pursuant to Subsection (e) of Government Code Section 54957 for City Manager and City Attorney.

After the Closed Session, the following was announced:

Santa Maria Valley Water Conservation District v. City of Santa Maria – Status report. No reportable action.

Public Employee Performance Evaluation – No reportable action.

ADJOURNMENT
There being no further business to come before the City Council at this time, the meeting was declared adjourned at 8:11 p.m. by order of Mayor Lavagnino.

APPROVED

October 18, 2005
Date

Patricia Barnes
Chief Deputy City Clerk of the City of Santa Maria and ex officio Clerk of the City Council

ATTEST Patricia Barnes
Chief Deputy City Clerk

S. E. Lavagnino
Mayor of the City of Santa Maria